

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Criminal No.
03-10362-PBS

UNITED STATES OF AMERICA

v.

CHRISTOPHER SUGAR,
SEAN D. STARK,
TREVOR ROYCE TEAGUE, and
FABIAN A. RUIZ

FINAL STATUS REPORT

May 20, 2004

DEIN, M.J.

A Final Status Conference was held before this court on Thursday, May 20, 2004, pursuant to the provisions of Local Rule 116.5(C).¹ Based on that conference, this Court enters the following report, in accordance with Local Rule 116.5(D):

1. A motion to suppress is pending before the District Judge. The outcome of that motion will affect whether a trial will be necessary.
2. Discovery is completed, except that the defendants intend to have their experts examine and weigh the marijuana seized in this case. An order requiring that the drugs be preserved until July 9, 2004 has been entered.
3. There are no outstanding or anticipated discovery issues.
4. The defendants Sugar and Stark have pending a motion to suppress. They intend to file a motion to compel or related motions in connection with issues relating to the dog used in the search. Those motions shall be filed with the District Judge. In the event that the court allows the motion to suppress, the defendants Teague and Ruiz may file additional

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A separate Final Status Report has been issued for Anibal Torres.

dispositive motions relating to the affect of such dismissal on the charges against them.

5. Based upon the prior orders of the court dated December 12, 2003, December 19, 2003, December 22, 2003, January 22, 2004, April 1, 2004, April 26, 2004, and on this date, as of June 21, 2004 there will be two days of non-excludable time under the Speedy Trial Act (January 20 - 21, 2004) and sixty-eight (68) days will remain under the Speedy Trial Act in which this case must be tried. The court has, on this date, entered an order excluding the time from May 20, 2004 - June 21, 2004, that being the period between the Final Status Conference and the time requested by the parties to continue addressing issues in connection with the defendants' motion to suppress. The pendency of the motion to suppress, and the filing of any additional motions shall cause additional excludable time for Speedy Trial Act purposes.
6. It is estimated that if the case goes to trial, the trial will last approximately five (5) days.
7. The file is hereby ordered returned to the District Judge to whom this case is assigned for further proceedings.

 / s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge